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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Hassan Mahini

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54472

7590

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EXAMINER

BALAOING, ARIEL A

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/627,896	<b>Applicant(s)</b> MAHINI, HASSAN	
	<b>Examiner</b> Ariel Balaoing	<b>Art Unit</b> 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4-10,13-19 and 22-34 is/are pending in the application.
- 4a) Of the above claim(s) 29-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-10,13-19 and 22-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/03/2006 has been entered.

#### ***Election/Restrictions***

3. Newly submitted claims 29-34 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

The previously presented claims 1, 4-10, 13-19, 22-28 (group I) disclose a method, device, and processor of accessing functions for updating and sorting an event list for display to a user. Newly added claims 29-34 (group II) disclose a method for accessing functions involving the handling of designating shortcut pointers of missed events.

4. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombination I has separate utility such as

Art Unit: 2617

sorting of newly added events, while Invention II shows assignment of shortcut pointers. See MPEP § 806.05(d).

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 29-34 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1, 4-10, 13-19, and 22-28 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1, 10, 19, 28 rejected under 35 U.S.C. 103(a) as being anticipated by SALMIMAA et al (US 6,668,177 B2) in view of OGILVIE et al (US 6,487,586 B2).

Regarding claim 1, SALMIMAA discloses a method of accessing functions in a mobile communication device comprising: dynamically updating an event list responsive to designated events by adding events to said event list when a new event occurs (abstract, column 2:lines 51-60; 508-Figure 5, column 7:lines 16-30); displaying said event list to a user on a display (Figure 1, column 2:lines 51-60); associating a menu item in a hierarchical menu with each event in said event list (Figure 3, column 2:lines 15-39, column 5:lines 27-45; Menu items with greater priority are given greater

prominence on the display); and invoking the associated menu item in said hierarchical menu responsive to selection of an event from said event list by said user (column 5:lines 4-23). Although SALMIMMA discloses automatic deletion of events from an event list (col. 4, line 25-37; col. 6, line 15-31), SALMIMMA does not expressly disclose wherein the automatic deletion of an event occurs when a user responds to an event. OGILVIE discloses wherein the automatic deletion of an event occurs when a user responds to an event (abstract; col. 5, line 59-67; col. 6, line 6-19; message deletion occurs shortly after message is opened). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify SALMIMMA to include the automatic deletion of an event when a user responds to an event, as taught by OGILVIE, as both systems relate to handling of newly received messages. As can further be seen in SALMIMMA, messages are deleted after predetermined time has expired (col. 6, line 15-18). This is beneficial in that the burden of removing unsolicited emails can be determined by the service provider.

Regarding claim 10, SALMIMAA discloses a mobile communication device comprising: a display (Figure 1, 2, 3) for displaying menu items in a hierarchical menu for selection by a user (Figure 3, column 2:lines 15-39, column 5:lines 27-45; Menu items with greater priority are given greater prominence on the display); a memory for storing an event list (column 2:lines 40-51); a processor (column 2:lines 40-51, column 5:lines 46-51) to: dynamically update said event list responsive to designated events by adding events to said event list when a new designated event occurs (abstract, column 2:lines 51-60; 508-Figure 5, column 7:lines 16-30); display said event list on a display

for viewing by a user (Figure 3, column 2:lines 15-39, column 5:lines 27-45); associate a menu item in a hierarchical menu with each event in said event list (Figure 3, column 2:lines 15-39, column 5:lines 27-45); and invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event from said event list (column 5:lines 4-23; Processors are inherently responsible for controlling the operations of a system.) Although SALMIMMA discloses automatic deletion of events from an event list (col. 4, line 25-37; col. 6, line 15-31), SALMIMMA does not expressly disclose wherein the automatic deletion of an event occurs when a user responds to an event. OGILVIE discloses wherein the automatic deletion of an event occurs when a user responds to an event (abstract; col. 5, line 59-67; col. 6, line 6-19; message deletion occurs shortly after message is opened). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify SALMIMMA to include the automatic deletion of an event when a user responds to an event, as taught by OGILVIE, as both systems relate to handling of newly received messages. As can further be seen in SALMIMMA, messages are deleted after predetermined time has expired (col. 6, line 15-18). This is beneficial in that the burden of removing unsolicited emails can be determined by the service provider.

Regarding claim 19, SALMIMAA further discloses a circuit (circuitry of some form is inherently necessary for communication between various electronic components) for controlling a user interface including a display, said circuit comprising a processor (column 2:lines 40-51, column 5:lines 46-51) programmed to: generate and dynamically update an event list responsive to designated events by adding events to said event list

when a new designated event occurs (abstract, column 2:lines 51-60; 508-Figure 5, column 7:lines 16-30); display said event list on said display for viewing by a user (Figure 3, column 2:lines 15-39, column 5:lines 27-45); associate a menu item in a hierarchical menu with each event in said event list (Figure 3, column 2:lines 15-39, column 5:lines 27-45); and invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event from said event list (column 5:lines 4-23; Processors are inherently responsible for controlling the operations of a system.) Although SALMIMMA discloses automatic deletion of events from an event list (col. 4, line 25-37; col. 6, line 15-31), SALMIMMA does not expressly disclose wherein the automatic deletion of an event occurs when a user responds to an event. OGILVIE discloses wherein the automatic deletion of an event occurs when a user responds to an event (abstract; col. 5, line 59-67; col. 6, line 6-19; message deletion occurs shortly after message is opened). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify SALMIMMA to include the automatic deletion of an event when a user responds to an event, as taught by OGILVIE, as both systems relate to handling of newly received messages. As can further be seen in SALMIMMA, messages are deleted after predetermined time has expired (col. 6, line 15-18). This is beneficial in that the burden of removing unsolicited emails can be determined by the service provider.

Regarding claim 28, SALMIMAA discloses a computer program (column 1:lines 15-32; seen in the background of the invention, but still applicable to the disclosed invention) (column 5:lines 45-51) stored in a computer readable medium (storage of

programs are inherently stored in a computer readable medium (i.e. memory in one form or another)) for controlling a user interface in a mobile communication device (column 5:lines 45-51), said program including instructions to cause said mobile communication device to: add events to a dynamically updated event list responsive to designated events (abstract, column 2:lines 51-60; 508-Figure 5, column 7:lines 16-30); automatically delete events from said event list (col. 4, line 25-37; col. 6, line 15-3); display said event list on said display for viewing by a user (Figure 3, column 2:lines 15-39, column 5:lines 27-45); associate a menu item in a hierarchical menu with each event in said event list (Figure 3, column 2:lines 15-39, column 5:lines 27-45); and invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event from said event list (column 5:lines 4-23). Processors are inherently responsible for controlling the operations of a system. Although SALMIMMA discloses automatic deletion of events from an event list (col. 4, line 25-37; col. 6, line 15-31), SALMIMMA does not expressly disclose wherein the automatic deletion of an event occurs when a user responds to an event. OGILVIE discloses wherein the automatic deletion of an event occurs when a user responds to an event (abstract; col. 5, line 59-67; col. 6, line 6-19; message deletion occurs shortly after message is opened). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify SALMIMMA to include the automatic deletion of an event when a user responds to an event, as taught by OGILVIE, as both systems relate to handling of newly received messages. As can further be seen in SALMIMMA, messages are deleted after predetermined time has expired (col. 6, line 15-18). This is



beneficial in that the burden of removing unsolicited emails can be determined by the service provider.

8. Claims 4, 13, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over SALMIMAA et al (US 6,668,177 B2) in view of OGILVIE et al (US 6,487,586 B2) and further in view of AUSEMS et al (US 2003/0013483 A1).

Regarding claim 4, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. However the combination of SALMIMAA and OGILVIE does not disclose wherein said event list is displayed responsive to entry of a shortcut command by said user. AUSEMS discloses wherein said event list is displayed responsive to entry of a shortcut command by said user (abstract, paragraph 12, paragraph 64). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of SALMIMAA and OGILVIE to include a shortcut command in order bring up the event list, as both disclosures deal with the interaction of associated menu icons in handheld devices with graphical user interfaces. This is beneficial in that it allows the ability to quickly switch to the menu icon list while another application or program is running in the foreground.

Regarding claim 13, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. However the combination of SALMIMAA and OGILVIE does not disclose wherein the processor displays said event list responsive to entry of a shortcut command by said user. AUSEMS discloses wherein the processor displays said event list responsive to entry of a shortcut command by said user (abstract, paragraph 12, paragraph 64). Therefore it would have been obvious to a

person of ordinary skill in the art at the time the invention was made to modify the combination of SALMIMAA and OGILVIE to include a shortcut command in order bring up the event list, as both disclosures deal with the interaction of associated menu icons in handheld devices with graphical user interfaces. This is beneficial in that it allows the ability to quickly switch to the menu icon list while another application or program is running in the foreground.

Regarding claim 22, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. However the combination of SALMIMAA and OGILVIE does not discloses wherein the processor displays said event list responsive to entry of a shortcut command by said user. AUSEMS discloses wherein the processor displays said event list responsive to entry of a shortcut command by said user (abstract, paragraph 12, paragraph 64). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of SALMIMAA and OGILVIE to include a shortcut command in order bring up the event list, as both disclosures deal with the interaction of associated menu icons in handheld devices with graphical user interfaces. This is beneficial in that it allows the ability to quickly switch to the menu icon list while another application or program is running in the foreground.

9. Claims 5-9, 14-18, and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over SALMIMAA et al (US 6,668,177 B2) in view of OGILVIE et al (US 6,487,586 B2) and further in view of ROTH (US 6,266,060 B1).

Regarding claim 5, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. However, the combination of SALMIMAA and OGILVIE does not disclose further comprising sorting said event list before said event list is displayed. ROTH discloses further comprising sorting said event list before said event list is displayed (column 5:line 60-column 6:line 2, column 11:line 67-column 12:line 15; the sort process is initiated according to a user defined ranking control, thus the frequency of the sorting does occur before menu is displayed). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of SALMIMAA and OGILVIE to include the menu sorting abilities described in ROTH as both disclose a way to prioritize menu rankings. *As stated by ROTH, it should be understood that the present invention can be used to arrange any menu of user-selectable items regardless of the medium that is used to present the menu* (column 5:lines 30-38, column 5:lines 46-59, column 6:lines 31-42). This is beneficial in that it allows for various sorting techniques in any menu environment of user-selectable items.

Regarding claim 6, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. However, the combination of SALMIMAA and OGILVIE does not disclose wherein said event list is sorted in time order. ROTH discloses wherein said event list is sorted in time order (column 11:line 67-column 12:line 15, column 12:line 52-column 13:line 20).

Regarding claim 7, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. SALIMIMAA further discloses wherein said event

list is sorted based on priorities assigned to said events on said event list (Figures 6a and 6b, column 3:lines 60-65, column 7:lines 31-64).

Regarding claim 8, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. SALMIMAA further discloses wherein said priorities are assigned to said events on said event list by a user (Figures 6a and 6b, column 3:lines 60-65, column 7:lines 31-64).

Regarding claim 9, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. However the combination of SALMIMAA and OGILVIE does not disclose wherein said event list is sorted based on usage statistics associated with said events on said event list. ROTH discloses wherein said event list is sorted based on usage statistics associated with said events on said event list (column 13:line 21-column 14:line 33).

Regarding claims 14 and 23, However, the combination of SALMIMAA and OGILVIE does not disclose wherein said processor sorts said event list before said event list is displayed. ROTH discloses wherein said processor sorts said event list before said event list is displayed (column 5:line 60-column 6:line 2, column 11:line 67-column 12:line 15; the sort process is initiated according to a user defined ranking control, thus the frequency of the sorting does occur before menu is displayed). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of SALMIMAA and OGILVIE to include the menu sorting abilities described in ROTH as both disclose a way to prioritize menu rankings. As stated by ROTH, *it should be understood that the present invention*

*can be used to arrange any menu of user-selectable items regardless of the medium that is used to present the menu* (column 5:lines 30-38, column 5:lines 46-59, column 6:lines 31-42). This is beneficial in that it allows for various sorting techniques in any menu environment of user-selectable items.

Regarding claim 15 and 24, see the rejections of the parent claims concerning the subject matter these claims are dependant upon. However, the combination of SALMIMAA and OGILVIE does not disclose wherein said processor sorts said event list in time order. ROTH discloses wherein said processor sorts said event list in time order (column 11:line 67-column 12:line 15, column 12:line 52-column 13:line 20).

Regarding claims 16 and 25, see the rejections of the parent claims concerning the subject matter these claims are dependant upon. SALIMIMAA further discloses wherein said processor sorts said event list based on priorities assigned to said events on said event list (Figures 6a and 6b, column 3:lines 60-65, column 7:lines 31-64).

Regarding claims 17 and 26, see the rejections of the parent claims concerning the subject matter these claims are dependant upon. SALIMIMAA further discloses wherein said priorities are assigned to said events on said event list by a user (Figures 6a and 6b, column 3:lines 60-65, column 7:lines 31-64).

Regarding claim 18 and 27, see the rejections of the parent claims concerning the subject matter these claims are dependant upon. However the combination of SALMIMAA and OGILVIE does not disclose wherein said processor sorts said event list based on usage statistics associated with said events on said event list. ROTH

discloses wherein said processor sorts said event list based on usage statistics associated with said events on said event list (column 13:line 21-column 14:line 33).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ariel Balaoing whose telephone number is (571) 272-7317. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:30 AM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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